

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

MARIANNE HANZL,

Plaintiff,

vs.

GERTRUD M. COLLIER and
ROBERT L. COLLIER,

Defendants.

No. C10-4122-DEO

***REPORT AND
RECOMMENDATION***

This case is before me on a June 16, 2014, motion and status report (Doc. No. 82) filed by plaintiff Marianne Hanzl. Hanzl requests entry of final judgment against defendants Gertrud Collier and Robert Collier (the Colliers) in the amount of \$25,266.42. On July 8, 2014, I entered an order (Doc. No. 83) directing the Colliers to file their resistance, if any, by July 21, 2014. No resistance was filed.

The relevant factual and procedural background is described in detail in my prior report and recommendation (Doc. No. 74), filed January 31, 2014, and in Judge O'Brien's order (Doc. No. 75) adopting that report and recommendation, filed February 25, 2014. At that time, a preliminary finding was made that Hanzl was entitled to judgment against the Colliers in the amount of \$23,291.42. However, the entry of final judgment was deferred pending possible adjustments based on an income tax issue. Doc. No. 75 at 8.

Now, based on the additional information provided by Hanzl and the lack of any objection by the Colliers, I find that Hanzl's request reflects the appropriate final resolution of this case. As such, I RESPECTFULLY RECOMMEND that Judge O'Brien enter an order directing the Clerk to enter final judgment in favor of Hanzl, and against the Colliers, in the amount of \$25,266.42.

Objections to this Report and Recommendation in accordance with 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b) must be filed within fourteen (14) days of the service of a copy of this Report and Recommendation. Objections must specify the parts of the Report and Recommendation to which objections are made, as well as the parts of the record forming the basis for the objections. *See* Fed. R. Civ. P. 72. Failure to object to the Report and Recommendation waives the right to *de novo* review by the district court of any portion of the Report and Recommendation as well as the right to appeal from the findings of fact contained therein. *United States v. Wise*, 588 F.3d 531, 537 n.5 (8th Cir. 2009).

IT IS SO ORDERED.

DATED this 24th day of July, 2014.



LEONARD T. STRAND
UNITED STATES MAGISTRATE JUDGE